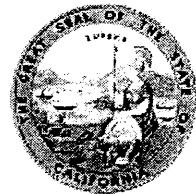


State of California—Health and Human Services Agency
Department of Health Services



California
Department of
Health Services

DIANA M. BONTÁ, R.N., Dr. P.H.
Director



GRAY DAVIS
Governor

January 27, 2003

Dear Interested Parties:

**ASSISTED LIVING WAIVER PILOT PROJECT REQUEST FOR APPLICATION
02-25852 ADMINISTRATIVE BULLETIN 1 and ADDENDUM 1**

Enclosed you will find Administrative Bulletin 1 in response to questions submitted by Interested Parties for Request for Application (RFA) # 02-25852 for the Assisted Living Waiver Pilot Project. Also enclosed is Addendum 1, incorporating changes to RFA # 02-25852. Within the text of the document, additions are highlighted with underlines, deletions are highlighted with strikeouts, and all changes are identified with lines on the side margins.

Any changes made to the RFA are published as additional or replacement pages to the RFA. Since the RFA is available in both single-sided (on the Internet) and double sided (hardcopy from the Office of Medi-Cal Procurement) versions, the instructions for updating both formats are included in this letter. The replacement pages enclosed are for the double sided, hardcopy version.

In order to configure the RFA so that it accurately reflects the current requirements and considerations, add the new pages or remove the existing pages and insert the appropriate replacement page as indicated in the following table:

HARDCOPY VERSION

REMOVE EXISTING PAGES	ADD NEW/REPLACEMENT PAGES
RFA Table of Contents, Pages 3 and 4	RFA Table of Contents, Pages 3 and 4
RFA Section I, 3, f, Pages 13 and 14	RFA Section I, 3, f, Pages 13 and 14
RFA Section I, 3, I, Pages 19 and 20	RFA Section I, 3, I, Pages 19 and 20
RFA Section L, Pages 23 and 24	RFA Section L, Pages 23 and 24
RFA Section O, Pages 33 and 34	RFA Section O, Pages 33 and 34
Attachment 2, Page 2	Attachment 2, Page 2
	Attachment 11
Appendix 1, Pages 1 and 2	Appendix 1, Pages 1 and 2
Appendix 1, Pages 3 and 4	Appendix 1, Pages 3 and 4
Appendix 2A, Pages 3 and 4	Appendix 2A, Pages 3 and 4



Do your part to help California save energy. To learn more about saving energy, visit the following web site:
www.consumerenergycenter.org/flex/index.html

In order to configure the Internet version of this RFA (single-sided) so that it accurately reflects current requirements and considerations, remove existing pages and insert the appropriate substituted page as indicated in the following table.

ONLINE VERSION

REMOVE EXISTING PAGES	ADD NEW/REPLACEMENT PAGES
Table of Contents, Page 4	Table of Contents, Page 4
Section I, 3, f, Page 13	Section I, 3, f, Page 13
Section I, 3, F, Page 14	Section I, 3, F, Page 14
Section I, 3, I, Page 19	Section I, 3, I, Page 19
Section L, Page 23	Section L, Page 23
Section L, Page 24	Section L, Page 24
Section O, Page 33	Section O, Page 33
Attachment 2, Page 2	Attachment 2, Page 2
	Attachment 11
Appendix 1, Page 2	Appendix 1, Page 2
Appendix 1, page 3	Appendix 1, page 3
Appendix 2A, Page 3	Appendix 2A, Page 3
Appendix 2A, Page 4	Appendix 2B, Page 4

Proposers have five working days from the issue of this transmittal to the postmark date of the bidders' response to submit any objections to this Addendum.

If you have any questions, please contact my lead analyst on this project, Lisa Kale, at (916) 323-7406.

Sincerely,

O/s by

Donna Martinez, Chief
Office of Medi-Cal Procurement

Enclosure

Attachment #	Attachment Name
Attachment 9	Letter of Intent
Attachment 10	Conflict of Interest Compliance Certificate
<u>Attachment 11</u>	<u>Financial Certification</u>

Q. Sample Contract Forms / Exhibits

Exhibit #	Exhibit Name
Exhibit A-1	Standard Agreement
Exhibit A	Scope of Work
Exhibit A - Attachment I	Applicant's Work Plan (Sample Format)
Exhibit B	Budget Detail and Payment Provisions
Exhibit C – View on-line.	General Terms and Conditions (GTC 201). View or download at this Internet site http://admin.int.dhs.ca.gov/forms/html/contracts.htm .]
Exhibit D(F)	Special Terms and Conditions
Exhibit E	Additional Provisions
Exhibit F	Contractor's Release
Exhibit G	Travel Reimbursement Information

R. Program Appendices

Appendix #	Appendix Name
Appendix 1	Scoring Tool for the Technical Application
Appendix 2A	Data Library and Bibliography
Appendix 2B	Internet Library
Appendix 3	Glossary
Appendix 4	Reference Check Questions
Appendix 5	Driving and Parking Instructions

d. Table of Contents

Properly identify each section and the contents therein. Paginate all items in each section with the exception of those items placed in the Forms Section and Appendix Section.

e. Executive Summary Section

This section must not exceed three (3) pages in length. Evaluators may not review or evaluate excess pages.

In preparing your Executive Summary, do not simply restate or paraphrase information in this RFA. Describe or demonstrate, in your own words, the following information.

- 1) Your understanding of DHS' needs and the importance of this project.
- 2) The tangible results that you expect to achieve.
- 3) Your firm's sincere commitment to perform the scope of work in an efficient and timely manner and supply the resources necessary to develop and implement the pilot project in a manner that meets the requirements of W & I 14132.26 and as described in Exhibit A of this RFA.
- 4) How you will effectively integrate this project into your firm's current obligations and existing workload.
- 5) Why your firm should be chosen to undertake this work at this time.

f. Agency Capability section

- 1) Include a brief history of your firm, and that of any subcontractor, including:
 - a) Date of establishment. If applicable, explain any changes in your business history or organizational structure that will assist DHS in determining your qualifications, and the qualifications of any subcontractor.
 - b) A description of your firm's goals, and the goals of any subcontractor, that are relevant, closely related, or will complement this project.
- 2) Describe the experience that qualifies your firm, and any subcontractor, to undertake this project. At a minimum, the applicant must demonstrate your firm's possession of three consecutive years of experience of the types listed in Section H. All experience must have occurred within the past five years. It is possible to attain the experience types during the same time period. The applicant must describe how it meets the experience as stated in Qualification Requirements in Section H of the RFA, including experience in developing and implementing home and community based long-term care service delivery and financing models under the Medicaid program.

- 3) Briefly, describe the accounts or work projects begun and/or completed in the past three years that involved services similar in nature or closely related to the Scope of Work in this RFA. Include work projects of any subcontractors. For each account or project listed, include the following information:
 - a) Name of agency or firm for whom services were performed,
 - b) Duration or length of the project,
 - c) Total cost or value of the project,
 - d) Indicate if the account or project is "active/open" or "closed/settled".
 - e) Describe briefly the type and nature of the services you performed.
- 4) Briefly describe any experience that demonstrates your firm's ability to establish and maintain effective working relationships with government entities and local community based organizations. Include experience of any subcontractor.
- 5) Identify three client references that your firm has serviced in the past five years that can confirm their satisfaction with your services and confirm if your firm provided timely and effective services or deliverables. The references should be from clients who have received consultant services from your organization that are similar to the tasks outlined in this RFA. Use the Applicant Reference Sheet (Attachment 4) for this purpose. Place the completed Applicant Reference Sheet form in the Forms section of your application. DHS may contact your clients for references. See Appendix 4 for a list of questions that may be asked of your clients.

g. Work Plan section

- 1) Overview
 - a) DHS is interested in applications that provide well-organized, comprehensive and technically sound business solutions. Vague explanations will undermine your firm's credibility and will result in reduced application scores.
 - b) The Work Plan must include an in-depth discussion and description of the methods, approaches and step-by-step actions that will be carried out to fulfill all Scope of Work requirements.

If the nature of a task or function hinders specific delineation of in-depth methods and procedures (e.g., a task is dependent upon a future action or multiple approaches may be used), explain the probable methods, approaches or procedures that you will use to accomplish the task or function. Also, describe, in this instance, how you will propose the ultimate strategies and detailed plans to DHS for full consideration and approval before you proceed to carry out the project.
 - c) If, for any reason, the Work Plan does not wholly address each Scope of Work requirement, fully explain each omission.
- 2) DHS rejection of tasks, activities or functions

Attachment and/or Documentation	Instructions
4 – Applicant Reference Sheet	Identify three (3) clients you have serviced within the past five years that can confirm their satisfaction with your services and confirm if your firm provided timely and effective services or deliverables. If possible, identify clients whose needs were similar in scope and nature to the services sought in this RFA. List the most recent first.
5 – RFA Clause Certification	Complete and sign this form indicating your willingness and ability to comply with the contract certification clauses appearing in the RFA section entitled, "Bid Requirements and Information," subsection "Bidding Certification Causes".
6 - CCC 201 - Certification	Complete and sign this form indicating your willingness and ability to comply with the Contractor Certification Clauses appearing in this Attachment.
7 - Payee Data Record	Complete and return this form, <u>only</u> if you have not previously entered a contract with DHS. If uncertain, complete and return the form.
<u>11 – Financial Certification</u>	<u>Complete and sign this form indicating your firm is financially stable and solvent and had adequate cash reserves.</u>

J. APPLICATION SUBMISSION

1. General Instructions

- a. Assemble an original and five (5) copies of your application together with your application on a CD Rom. Place the application set marked "Original" on top, followed by the five (5) extra copies and the CD.
- b. Place all application copies in a single envelope or package, if possible. Seal the envelope or package.

If you submit more than one envelope or package, carefully label each one as instructed below and mark on the outside of each envelope or package "1 of X", "2 of X", etc.

- c. Mail or arrange for hand delivery of your application to the Department of Health Services, Office of Medi-Cal Procurement. Applications may not be transmitted electronically by fax or email.
- d. The OMCP must receive your application, regardless of postmark or method of delivery, by 4:00 p.m. on Monday, February 10, 2003. Late applications will not be reviewed or scored.
- e. Label and submit your application using one of the following methods:

The evaluators will individually and/or as a team review, evaluate and numerically score each application based on the application's adequacy, thoroughness, and the degree to which it complies with the RFA requirements.

Evaluators will use the scoring tool in Appendix 1 to score the applications submitted by each applicant. Refer To Appendix 1 for the details of the point value for each specific section.

Stage 2 – Narrative Application (100 points possible)

Executive Summary Rating Factors (Not to exceed 3 pages)	Points Possible	Points Earned
To what extent did the application express an understanding of DHS' needs and the importance of this project?	2	
To what extent did the application demonstrate the tangible results that it expects to achieve?	2	
To what extent did the application express a sincere commitment to perform this work in an efficient and timely manner?	2	
To what extent did the application demonstrate that it can effectively integrate the project into its' current obligations and existing workload?	2	
To what extent did the application adequately explain why it should be chosen to undertake this project at this time?	2	
Subtotal of Points Earned	10	
Agency Capability	Points Possible	Points Earned
To what extent are the goals of the firm <u>and those of any subcontractor</u> relevant or complementary to this project?	3	
From the description in the application, to what extent does the applicant <u>(including any subcontractor)</u> possess sufficient experience with:		
<ul style="list-style-type: none"> • Developing and managing state-level pilot project(s) in California or in other states, which focus on long-term health care and/or publicly funded housing for senior and disabled persons. 	3	
<ul style="list-style-type: none"> • Researching and/or developing programs and benefits which meet Medicaid and/or Medicare requirements. 	3	
<ul style="list-style-type: none"> • Establishing and maintaining contracts and/or agreements with local and State governments. 	3	
<ul style="list-style-type: none"> • Managing project(s) that utilize multiple professionals, such as administrative staff, clinical staff/consultants, auditors, information technology staff, public relations developers, researchers and others. 	3	

<ul style="list-style-type: none"> Working with assisted living facilities and publicly funded health care and/or housing provider agencies in a collaborative manner. Convening stakeholder forums and workgroups in a variety of cultural and/or socio-economic settings. Developing and/or implementing quality assurance and improvement protocols in the health care arena; including consumer quality initiatives. Working with other States or federal agencies on reimbursement methodologies for assisted living under Medicaid. 	3	
Based on a review of the applicant's prior accounts or work projects in the past 3 years, identify previous consultative activities that were similar in nature or closely related to the RFA scope of work. <u>Include the work of any subcontractor, if applicable.</u>	3	
To what extent did the applicant demonstrate experience establishing and maintaining effective working relationships with government entities and local community based programs? <u>Include the experience of any subcontractor, if applicable.</u>	3	
To what extent did the applicant's prior clients as a whole, confirm their satisfaction with the applicant's past work and ability to deliver timely and effective services and deliverables? See Appendix 4 for reference check questions.	3	
Subtotal of Points Earned	36	
Work Plan	Points Possible	Points Earned
To what extent does the applicant's Work Plan describe in detail the specific activities for each of the eight tasks below? Are each of the required deliverables adequately addressed for each task? (3 points max for each task.)		
<ul style="list-style-type: none"> Develop the federal waiver application. 	3	
<ul style="list-style-type: none"> Develop and finalize the assisted living provider reimbursement methodology and provider payment system. 	3	
<ul style="list-style-type: none"> Design and plan the Assisted Living Waiver Pilot Project, conduct site and provider selection. 	3	
<ul style="list-style-type: none"> Develop and present training sessions and materials for the Assisted Living Waiver Pilot Project providers and staff. 	3	

language that is proposed or submitted by a prospective contractor. DHS may consider an application containing such provisions "a counter offer" and DHS may reject such an application as non-responsive.

1. Sample Contract Forms and Exhibits

Exhibit A-1	Standard Agreement (1 page)
Exhibit A -Exhibit A-Attachment I	Scope of Work (14 pages) Contractors Work Plan
Exhibit B	Budget Detail & Payment Provisions (3 pages)
Exhibit C	General Terms and Conditions (GTC 201)
	<i>View or download online at</i> www.ols.dgs.ca.gov/Standard+Language/default.htm
Exhibit D(F)	Special Terms and Conditions (27 pages)
Exhibit E	Additional Provisions (7 pages)
Exhibit F	Contractor's Release (1 page)
Exhibit G	Travel Reimbursement Information (2 pages)

The following Attachments must be completed, signed and returned with the application and placed in the application as indicated in Section I.

Attachment 1	Application Cover Page
Attachment 2	Required Attachment/Certification Checklist
Attachment 3	Applicant Information Sheet
Attachment 4	Applicant Reference Sheet
Attachment 5	RFA Clause Certification
Attachment 6	CCC 201-Certification
Attachment 7	Payee Data Record
Attachment 8	Cost Proposal Form
Attachment 8-A	Budget Detail by Year Form
Attachment 9	Letter of Intent
Attachment 10	Conflict of Interest Compliance Certificate
Attachment 11	Financial Certification

The following Appendices are included for your information.

Appendix 1	Scoring Tool
Appendix 2A	Data Library Contents and Bibliography
Appendix 2B	Internet Library
Appendix 3	Glossary
Appendix 4	Reference Check Questions
Appendix 5	Driving and Parking Instructions

2. Unanticipated tasks

In the event unanticipated or additional work must be performed that is not identified in this RFA, but in DHS' opinion is necessary to successfully accomplish the scope of work, DHS will initiate a contract amendment to add that work.

3. Resolution of language conflicts (RFA vs. final agreement)

Contractor's Name
02-25852

Appendix section with the following documentation:		Confirmed by DHS
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	(Corporations) Copy of a Certificate of Status issued by California's Office of the Secretary of State or a copy of the firm's <u>active</u> on-line status information from the California Business Portal website. Explain if the required document cannot be attached. [Check "N/A" if not a corporation.]	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	(Nonprofit Organizations) An IRS determination letter proving my firm's eligibility to claim nonprofit and/or tax exempt status. [Check "N/A" if you are not claiming nonprofit status.]	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	An organization chart.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Proof that no prohibited conflicts of interest exist via Attachment 10 with applicable documentation.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Form section with the following attachments / forms:		Confirmed by DHS
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Attachment 2, Required Attachment / Certification Checklist	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Attachment 3, Applicant Information Sheet	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Attachment 4, Applicant Reference Sheet	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Attachment 5, RFP Clause Certification	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Attachment 6, CCC 201 - Certification	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Attachment 7, Payee Data Record. [Check "N/A" if you have had a prior contract with DHS.]	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Attachment 11, Financial Certification	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of Firm:		
Printed Name/Title:		
Signature	Date:	

Attachment 11
Financial Certification

I, the official named below, certify under penalty of perjury, that I am duly authorized to certify that the prospective Contractor named herein, is financially stable and solvent and has adequate cash reserves to meet all financial obligations while awaiting reimbursement from the State.

Name of Bidding Firm (Printed)	Federal ID Number
By (<i>Authorized Signature</i>)	
Printed Name and Title of Person Signing	
Date Executed	Executed in the County of:

Subtotal of Points Earned	10	
Agency Capability	Points Possible	Points Earned
Instructions to Evaluators: 0=Applicant restates or paraphrases information in the RFA 1=Applicant restates some information in the RFA, adds some additional language but does not adequately address the question. 2=Applicant adequately addresses the question. 3=Applicant more than adequately addresses the question.		
To what extent are the goals of the firm and those of any subcontractor relevant or complementary to this project?	3	
From the description in the application, to what extent does the applicant (including any subcontractor) possess sufficient experience with:		
<ul style="list-style-type: none"> • Developing and managing state-level pilot project(s) in California or in other states, which focus on long-term health care and/or publicly funded housing for senior and disabled persons. 	3	
<ul style="list-style-type: none"> • Researching and/or developing programs and benefits which meet Medicaid and/or Medicare requirements. 	3	
<ul style="list-style-type: none"> • Establishing and maintaining contracts and/or agreements with local and State governments. 	3	
<ul style="list-style-type: none"> • Managing project(s) which utilize multiple professionals, for example, administrative staff, clinical staff/consultants, auditors, information technology staff, public relations developers, researchers and others. 	3	
<ul style="list-style-type: none"> • Working with assisted living facilities and publicly funded health care and/or housing provider agencies in a collaborative manner. 	3	
<ul style="list-style-type: none"> • Convening stakeholder forums and workgroups in a variety of cultural and/or socio-economic settings. 	3	
<ul style="list-style-type: none"> • Developing and/or implementing quality assurance and improvement protocols in the health care arena; including consumer quality initiatives. 	3	
<ul style="list-style-type: none"> • Working with other States or federal agencies on reimbursement methodologies for assisted living under Medicaid. 	3	

Based on a review of the applicant's prior accounts or work projects in the past 3 years, identify previous consultative activities that were similar in nature or closely related to the RFA scope of work. <u>Include the work of any subcontractor.</u>	3	
To what extent did the applicant demonstrate experience establishing and maintaining effective working relationships with government entities and local community based programs? <u>Include experience of any subcontractor.</u>	3	
To what extent did the applicant's prior clients as a whole, confirm their satisfaction with the applicant's past work and ability to deliver timely and effective services and deliverables? See Appendix 4 for reference check questions.	3	
Subtotal of Points Earned	36	

Work Plan	Points Possible	Points Earned
Instructions to Evaluators: 0=Applicant restates or paraphrases information in the RFA 1=Applicant restates some information in the RFA, adds some additional language but does not adequately address the question. 2=Applicant adequately addresses the question. 3=Applicant more than adequately addresses the question.		
To what extent does the applicant's Work Plan describe in detail the specific activities for each of the eight tasks? Are all the required deliverables for each task adequately addressed?		
<ul style="list-style-type: none"> • Develop the federal waiver application. 	3	
<ul style="list-style-type: none"> • Develop and finalize the assisted living provider reimbursement methodology and provider payment system? 	3	
<ul style="list-style-type: none"> • Design and plan ALWPP, conduct site and provider selection? 	3	
<ul style="list-style-type: none"> • Develop and present training sessions and materials for ALWPP providers and staff? 	3	
<ul style="list-style-type: none"> • Develop and publish ALWPP participant enrollment information? 	3	
<ul style="list-style-type: none"> • ALWPPP implementation? 	3	
<ul style="list-style-type: none"> • Contribute to an ALWPP evaluation report? 	3	
To what extent are the applicant's overall approaches and/or methods comprehensive and/or technically sound for each of the eight tasks?	3	
To what extent did the applicant offer a rational basis for choosing its particular approaches and methods (i.e., proven success or past effectiveness)?	3	

William D. Spector, D.E.B. Potter, Jan De La Mare, *Future Directions for Residential Long-Term Care Health Services Research, Expert Meeting Summary*, October 14-15, 1999, Agency for Healthcare Research and Quality, U.S. Department of Health and Human Services, Public Health Services, ISBN 1-58-763-015-X, October 1999.

Joshua M. Wiener, *Can Medicaid Long-Term Care Expenditures for the Elderly Be Reduced?*, The Urban Institute, June 1996.

Enid Kassner, *Medicaid Financial Eligibility for Older People: State Variations in Access To Home and Community-Based Waiver and Nursing Home Services*, Public Policy Institute, American Association of Retired Persons and Lee Shirey, National Academy on an Aging Society; #2000-06, April, 2000.

Center for Health Care Strategies, Inc., *Working Paper: Education Outreach to Residents of Utah's Nursing Facilities and Swing Bed Hospitals*, Utah Department of Health, Division of Health Care Financing, Long-Term Care Unit under The Robert Wood Johnson Foundation's Medicaid Managed Care Program, May 2002.

Multiple Federal Agencies, *Delivering the Promise*, a preliminary report of the Federal Agencies' actions to eliminate barriers and promote community integration under the New Freedom Initiative, presented to the President of the United States, December 21, 2001.

State of Oregon, *1915(c) Waiver Application For Aged and Disabled Persons*, October 1996. This resource is an example of a federal waiver application which includes assisted living along with other home and community-based services as an alternative to the in-patient, nursing facility benefit under the Medicaid program.

Eric Carlson, *Residential Care Facilities for the Elderly (RCFEs): A Summary of Laws Pertaining to Residents' Health Care Needs*, National Senior Citizens Law Center, Los Angeles, California, July 2002. This resource was provided by the author to the DHS/Assisted Living Workgroup and related sub-committees. This document is intended to provide some analysis on the subject of health care services provided in the context of current licensed RCFE regulation and law.

Sara Rosenbaum, et.al., *Working Paper: Negotiating the New Health System: Findings from a Nationwide Study of Medicaid Primary Care Case Management Contracts*, Center for Health Services Research and Policy, The George Washington University, Funded by the Center for Health Care Strategies, Inc., under The Robert Wood Johnson Foundation's Medicaid Managed Care Program, June 2002.

Christina Bethell, PhD, et.al., *A Portrait of Informal Caregivers in America, 2001*, A Report from The Robert Wood Johnson Foundation National Strategic Indicator Surveys and The Foundation for Accountability, May 2001.

Claudia Page and Susan Ruiz, *The Guide to Medi-Cal Programs; A description of Medi-Cal Programs, Aid Codes, and Eligibility Groups*, Medi-Cal Policy Institute, 1999.

Medi-Cal Policy Institute, *Understanding Medi-Cal: The Basics*, September 2001.

Marshall Browne, *California Department of Social Services/Adult Programs Branch; SSI/SSP FACTS*, PowerPoint Presentation to the CDHS Assisted Living Workgroup, updated August 2002.

California Department of Health Services/Medical Care Services, *Organizational Charts*, August 2002.

Statutes of 2000, Chapter 557 (A.B. 499).

Centers for Medicare and Medicaid Services, **Section 1915(b) Freedom of Choice Waiver** program guidance, May, 2002.

Centers for Medicare and Medicaid Services, **Section 1915(c) Home and Community-Based Services (HCBS) Waiver** program guidance, May, 2002.

Centers for Medicare and Medicaid Services, **Section 1915(b)/(c) Waiver** program guidance, May, 2002.

Centers for Medicare and Medicaid Services, **Olmstead Updates #s 3,4, and 5**, July 25, 2000 and January 10, 2001.

Sara Rosenbaum, et. al., **WORKING PAPER: An Analysis of Olmstead Complaints: Implications for Policy and Long Term Planning**, December 2001.

David G. Stevenson, et.al., **Expanding Publicly Financed Assisted Living and Other Residential Alternatives for Disabled Older Persons: Issues and Options**, Fall/Winter 2000.

CDHS, **List of Organizations Interested in Assisted Living**, Assisted Living Workgroup participants by organization name, October 9, 2002.

42 Code of Federal Regulations (CFR) Part 441, Subpart G—**Home and Community-Based Services: Waiver Requirements**, downloaded October 15, 2002.

Centers for Medicare and Medicaid Services, **State Medicaid Manual, Part 04 – Services, Subpart 4440. Home and Community-Based Services – Basis, Scope, and Purpose**, downloaded, October 15, 2002.

Olmstead v. L.C. Decision

ASSISTED LIVING WAIVER PILOT PROJECT – RFA # 02-25852
Applicant Comments/Questions of January 10, 2003

?#	RFP Section	Pg	Question/Comment	DHS Response
1	General		Will onsite workspace within DHS be provided to the successful contractor during this contract period (e.g., an office, telephone access and printer access)?	No. DHS will not be providing office equipment or space to the contractor.
2	General		Please clarify the process for determining how a necessary change in the scope of work would be addressed in the event there is no or limited interest in participation by the providers.	Refer to Exhibit E, #2 and #8, which define the processes for both formal and informal changes to the Work Plan. These processes would be applicable to any such change to the Work Plan.
3	General		Is DHS willing to share names of qualified applicants?	DHS considers this confidential information and will not disclose the names of any applicants during the procurement process. This information will be made public upon contract award.
4	General		Would the State be prepared to provide (our firm) with the names of qualified consultants who have experience participating in a Pilot Project of this nature?	This Pilot Project will be a new project for DHS. Therefore, DHS has never worked with consultants on a project of this nature. However, other states have developed and implemented programs that offer assisted living as a Medicaid benefit. Therefore, you may wish to contact the Medicaid programs in other states for a list of the consultants who have developed their programs.
5	General		I am a provider interested in being a pilot project site location. When will DHS be identifying the Pilot Project sites?	This date has yet to be determined.
6	General		How do providers get in touch with the consultant who is awarded the contract to implement this pilot project?	The name of the consultant will be made public upon the posting of the Notice of Award. The information will also be posted on the OMCP Website.
7	General		Can a current Medi-Cal provider be the contractor for the consultant services required under this project?	Please refer to Section H, 7, b.
8	Project Description, Section A	1	Please provide information regarding whether there have been additional State or stakeholder activities since the DHS	No additional formal meetings of this nature are being conducted by DHS.

ASSISTED LIVING WAIVER PILOT PROJECT – RFA # 02-25852
Applicant Comments/Questions of January 10, 2003

Q #	RFP Section	Pg	Question/Comment	DHS Response
9	Project Description, What is Assisted Living?, Section A	2	convened a series of Assisted Living Workgroup session in 2000.	Refer to Appendices 2A and 2B for information available in the Data Library.
10	Project Description, Purpose, Section A	2	The RFA says that the successful bidder will work with DHS and other stakeholders to define the assisted living benefit. Are there ongoing organized workgroups based on earlier DHS activities or will new workgroups need to be developed for this portion of the Assisted Living initiative?	There are no ongoing, organized workgroups currently scheduled by the DHS. The contractor will include this process in the Work Plan under Exhibit A, Section 2 A, Task #1.
11	Project Description, The Two-Model Approach, Section A	3	The first bullet refers to the "efficacy" of the assisted living benefit. Please clarify or provide examples of how efficacy will be judged (e.g., numbers of providers and enrollees; satisfaction; cost; administrative efficiency).	The test for efficacy of the Pilot Project is to be included in the proposal. The design and structure of the test is to be determined by the contractor in conjunction with the DHS approval. Please see Exhibit A, Section H, Task #8 (a).
12	Project Description, The Two-Model Approach, Section A	3	Please clarify whether the Pilot Project will be limited to individuals who already reside in one of the approved assisted living arrangements.	No, the Pilot Project will not be limited to individuals already in Assisted Living residences. The waiver enrollees must meet the requirements as per Section A, page 4, of the RFA.
13	Project Description, The Two-Model Approach, Section A	3	Please see Section A, Page 3, <u>The Public Housing Model</u> .	Please see Section A, Page 3, <u>The Public Housing Model</u> .
14	Project Description, The Two-Model Approach, Section A	3	(Related to Question 11 above) please clarify what types of "agencies" could be included and whether these agencies are currently licensed and/or enrolled as Medi-Cal providers.	Please see Section A, Page 3, <u>The Public Housing Model</u> .

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15	Project Description, The Target Population, Section A	4	as specified in the waiver." Does DHS have similar, existing contractual arrangements for case management and other services for individuals participating in other waiver initiatives or would this be a new case management design feature?	Please see Section A, pp. 3-4 <u>The Target Population.</u>
16	Project Description, The Target Population, Section A	4	You state that enrollees in the Pilot Project must be "eligible for in-patient nursing facility services at the SNF or ICF level of care". Does this mean that Medi-Cal eligible patients at the sub-acute and acute level of care cannot be included in this Pilot Project? (E.g., quadriplegics on life support equipment confined in sub-acute long-term; end stage renal disease patients who are often confined in acute care hospitals on a long-term basis.)	No. Medical necessity must be established by the need for services as requested as an alternative to long-term placement in a facility. This is not presumed by a disability.
17	Project Description, The Target Population, Section A	4	(You state that) "Enrollees must have a diagnosis and prognosis which establishes a medical need for services." Can we assume that any disabled individual with a medical need for services can be included in this waiver?	Medical necessity is established on a case-by-case basis as per the criteria in Title 22 regulation for the services as required. Potential beneficiaries for the Assisted Living waiver must the eligibility criteria as established in the RFA.
18	Funding Availability/Contract Term, Section C	4	Some patients in skilled nursing facilities are solely there because they lack resources for housing and have no support system. They are considered custodial care and with correct support could be cared for by IHSS workers. What do you define as "medical need"? (E.g., would a stroke victim who required only attendant care in the community qualify to be in this pilot program?)	The RFA notes that the contract may be cancelled if funds are not available. When does DHS expect to know whether funds are available to perform the contract?
19	Funding Availability/Contract Term, Section C	4	Is continued funding of the contract contingent in any way on the funding (Medicaid Match) of the Assisted Living benefit itself?	DHS anticipates that the funds will be encumbered during FY 02/03. Please refer to Section C, Paragraph 2 of the RFA as well as the RFA's Cover Letter to review the discussion on funding availability for this contract.

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20	Funding Availability/Contract Term, Section C	4	Is the funding currently available for this project? Is it general fund?	well as the RFA's Cover Letter to review the discussion on funding availability for this contract.
21	Funding Availability/Contract Term, Section C	4	When do you expect to get confirmation of funding for this project? And what do you expect to be the impact of state budget cuts due out on Friday, January 10, 2003 as well as the federal government economic rollback plan?	It is anticipated that the budget for this contract will consist of State general funds and federal financial participation. Please refer to Section C of the RFA as well as the RFA's Cover Letter to review the discussion on funding availability for this contract.
22	Funding Availability/Contract Term, Section C	4	Do you have state and federal funds committed for the start date of the Pilot Project on May 1, 2003? If so, how much of the full amount is committed?	DHS anticipates that the funds will be encumbered for FY 02/03. Please refer to Section C Paragraph 2 of the RFA as well as the RFA's Cover Letter to review the discussion on funding availability for this contract. The DHS cannot speculate on the potential impact of the proposed State budget cuts.
23	Qualification Requirements, Section H, 1, a - h	9	Can you confirm that the following assessment of qualifications of (our firm) will be acceptable for us to be considered as a "Qualified Applicant"? (<i>Applicant describes nine qualifications</i>)	It is anticipated that the funds for the full amount of the contract will be encumbered by the contract effective date. Please refer to Paragraph 2 of Section C as well as the RFA's Cover Letter to review the discussion on funding availability for this contract.
24	Qualification Requirements, Section H, 1, a - h	9	The applicant eligibility criteria seemingly require many concurrent types of experience over the past five years. Additionally, this experience seemingly is required to involve three years of consecutive experience for each of the	(1) Applicants must have the experience as described in Section H, 1, a - h. Please refer to Section L under Agency Capability for the scoring criteria.

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			<p>various a – h tasks. (Our firm) has several questions about this section.</p> <p>(1) Does each of the a – h experiences have to be met or is this list illustrative? Do some experiences weight higher than others?</p> <p>(2) What if some required experiences occurred more than five years ago, but all required experiences were met otherwise?</p> <p>(3) What if a task did not involve three years of consecutive experience? Some tasks may require fewer than three years to complete.</p> <p>(4) What if fewer than three years of consecutive experience were within the five-year window?</p> <p>(5) How is “applicant” being defined? Does this refer to only the proposal’s lead person? The collective experience of a project team? The collective experience of the prime contractor organization? The collective experience of a prime contractor and its subcontractors or consultants?</p>	<p>(2) Section H, 1, on page 9 states that “All experience must have occurred within the past five years.”</p> <p>(3) Section H, 1, on Page 9 states that “Applicants must have at least three consecutive years of experience...”</p> <p>(4) Please refer to Section H, 1, first paragraph.</p> <p>(5) “Applicant” means a firm or organization submitting an application in response to this RFA. For the sole purpose of Paragraph 1 of Section H, an applicant may demonstrate the requisite experience through the combined experience of the applicant and its subcontractor(s) provided that all other RFA requirements are met, and that documentation of the subcontractor(s’) experience and ability are formally submitted as part of the applicant’s application.</p>
25	Qualification Requirements, Section H, 1, NOTE H, 2 -6	9	<p>(This page) states that State staff is limited and the contractor will not have access to various rate-setting or other staff during the performance of the contract.</p> <p>(1) Will the contractor have access to expenditure data to complete the cost neutrality formula?</p> <p>(2) Will assessment data on current HCBS waiver and nursing home residents be available?</p>	<p>(1) Access to expenditure data is limited and at the discretion of the DHS.</p> <p>(2) Assessment data and general information regarding the HCBS waivers is available to the public.</p>
26	Qualification Requirements, Section H, 6	9	<p>On (this page), is a list of terms beginning “Applicants must certify...” In this case, who is the applicant - the project director from the organization or the larger organization?</p>	<p>“Applicant” means a firm or organization submitting an application in response to this RFA.</p>
27	Qualification Requirements, Section H, 6	10	<p>(You state that) “Applicants must certify they are financially stable and solvent and have adequate cash reserves to meet all financial obligations while waiting for reimbursement from the State.” To meet this requirement,</p>	<p>The State requires that applicants certify that they meet the criteria set forth in Section H, 6.</p>

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28	Qualification Requirements, Section H, 7	10	<p>what level of cash reserves would the State require (our firm) to show? (E.g., line of credit with a bank up to \$500,000.00?)</p> <p>If an individual is on the board of directors of an assisted living corporation (in this case, one that does no business in California) is that person considered to have a conflict of interest that would preclude him or her from serving as a policy analyst and waiver specialist as a subcontractor for this work?</p>	<p>Information about what constitutes a conflict can be found in the RFA under Paragraph 7, Section H and in Attachment 10. Applicants are required to certify that no real or apparent conflict of interest exists, and to describe a suspected or potential (real or apparent) conflict. If the applicant perceives a situation to present a conflict, then that applicant must submit a conflict of interest avoidance plan. Pursuant to Paragraph 7, Section H and Attachment 10, DHS has the right to determine whether a real or apparent conflict exists.</p>
29	Qualification Requirements, Section H, 7	10	<p>Do (our) current or previous Medi-Cal contracts or relationships constitute a conflict of interest? Is it the intent of DHS to keep Medi-Cal providers OUT of this process?</p>	<p>Information about what constitutes a conflict can be found in the RFA under Paragraph 7, Section H and in Attachment 10. Similarly, DHS intent is specifically set forth in Paragraph 7, a, Section H. Applicants are required to certify that no real or apparent conflict of interest exists, and to describe a suspected or potential (real or apparent) conflict. If the applicant perceives a situation to present a conflict, then that applicant must submit a conflict of interest avoidance plan. Pursuant to Paragraph 7, Section H and Attachment 10, DHS has the right to determine whether a real or apparent conflict exists.</p>

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30	Qualification Requirements, Section H, 7	10	Can you give me some guidelines for writing a conflict of interest avoidance plan?	<p>DHS cannot provide guidelines for writing a conflict of interest avoidance plan. Each conflict of interest arises from facts unique to that situation.</p> <p>Accordingly, the provisions of each conflict of interest avoidance plan is specific to the facts related to each conflict of interest and must be tailored to meet the requirements generated by that particular conflict of interest. It is therefore incumbent on the applicant to identify all real or apparent, suspected or potential, conflicts of interest in accordance with Attachment 10 provisions and then to set forth a separate plan to address each identified conflict. Each conflict of interest avoidance plan will therefore be evaluated on whether it satisfactorily addresses the conflict of interest that you have identified.</p>
31	Application Format & Content Requirements, Section I, 2, a	11	Do all the officially signed documents need to be burned on the CD-Rom version of the submitted proposal?	Yes. Please burn as a PDF file.
32	Application Format & Content Requirements, Section I, 2, a	11	In what format does DHS need the CD-Rom?	<p>The format needs to be in any DHS standard platform (i.e. Word, Excel, Adobe).</p>
33	Application Format & Content Requirements, Section I, 2, a	11	The RFA states that the application must be submitted on CD-Rom. Can the electronic files submitted on CD-Rom be a PDF file?	<p>Yes.</p>
34	Application Format & Content Requirements, Section I, 3, a - c	12	Our large organization has four individuals who are official signers to commit the organization; thus, we have alternative signers available when others are unavailable. May any one of the four sign the proposal, or must the identical person who signed the Data Library agreement	<p>DHS will not accept different signers on the forms and submissions materials.</p> <p>One single person must be assigned to sign all of the forms, attachments, etc. that will be submitted in response to the</p>

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			preparatory to visiting the library sign it? May we provide DHS with information about who the official signers are for the organization and use any of those four individuals for the proposal submission?	RFA.
35	Application Format & Content Requirements, Section I, 3, a - c	12	On the same lines as (the above question), the cover letter requires the name, mailing address, email, phone and FAX numbers of "the representative authorized to bind the applicant to the contract resulting from the RFA." May we provide such information on the multiple designated individuals to serve as such a contact?	Please provide one contact name on the cover letter. This contact must subsequently sign all submission materials that require a signature.
36	Application Format & Content Requirements, Section I, 3, g, 3), d), i - ii	15	Will you need <u>all</u> the names of the individuals who will consult on <u>specific</u> specialty areas if the contract for consulting is with a specific organization, or can we simply name the organization from which the consultations would be provided?	Exhibit A-Attachment I allows the applicant to identify the Responsible Entity for each function and activity by prime contractor firm or organization and the name of any subcontractor firm or organization. Individual personnel names are not required.
37	Application Format & Content Requirements, Section I, 3, j	16-17	Are indirect costs (i.e. F & A or Facilities and Administrative costs) allowed on this contract? If so, what indirect cost rate or policy does DHS plan to apply to this contract, or are applicants to use the F & A rates that they have already negotiated for federal contracts?	Any indirect costs must be built into the bid for each Task of this project.
38	Application Format & Content Requirements, Section I, 3, j	16-17	Should bidders assume that the \$980,000 available as a maximum for the contract includes indirect (i.e. F & A) costs as well as direct costs?	The \$980,000 is to include all indirect and direct costs.
39	Application Format & Content Requirements, Section I, 3, i - j	16-17	Does the \$980,000 allowable costs refer to the base contract or to the base contract with Program Enhancement Options described on page 16? Related to this, is it the DHS' plan that funding for any program enhancements come from a source other than from DHS?	The \$980,000 includes any program enhancements offered by the applicant. DHS has no other source of funding for program enhancements.
40	Application Format & Content Requirements, Section I, 3, j	16-17	The RFA only specifies that Attachments 8 and 8A be submitted within the cost section of the proposal. Please specify that there is no requirement to submit information about the proposed numbers of hours or the professional	Please refer to Attachments 8 and 8-A for the cost submission requirements. Personnel fees are to be built in to the bid for each Task of this project.

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41	Exhibit A, Scope of Work, Task #1	1-2	Please clarify the process for state approval in order to proceed with submission of a waiver to the federal government (e.g., which components within DHS and at what level of authority, other agencies besides DHS).	The contractor will research and develop the waiver for the DHS. The DHS will submit the waiver application to the federal CMS in conjunction with input from the Office of Legal Services and Policy. Authority for requesting a new HCBS Waiver resides at the Deputy Director level.
42	Exhibit A, SOW, Task #1	2	Will DHS make facilities available to hold focus groups and meetings?	No.
43	Exhibit A, SOW, Task #1	2	Who will be responsible for scheduling meetings with DHS components – DHS staff or the contractor?	The DHS contract manager will have the primary responsibility for interfacing between the DHS and the contractor.
44	Exhibit A, SOW, Task #2	3-4	The provider payment system will require changes in state and fiscal intermediary's systems – please clarify whether the costs associated with these changes must be estimated and included within this scope of work, or whether the State will budget for those changes separately.	Changes to internal processes within the DHS are the responsibility of the state and are beyond the scope of the contractor.
45	Exhibit A, SOW, Task #2	4	Will the State share cost basis information on selected long-term care services, which may be beneficial in determining cost basis information on assisted living benefits?	The research and development of supportive information is part of the contractor's scope of work. See Note, Page 9, Section H (Qualification Requirements).
46	Exhibit A, SOW, Task #2	4	Deliverable "d" is a "Data management and retrieval system, which enables DHS to generate a variety of reports on provider claims and payments." Please provide more detail regarding what expectations are for this deliverable. Also, please provide information about the systems used to support other DHS community-based waivers.	Task #2 Deliverable (b.) calls for "Policy and procedures to implement one or more of the following provider reimbursement methodologies..." The contractor will purport an adequate system of tracking the Assisted Living benefits for DHS to track and report waiver activity.
47	Exhibit A, SOW, Task #3	5-6	The scope of work states that the contractor, along with DHS, will select the direct service providers. The main RFA narrative, on page 3, states that facility participation shall be	Please refer to Exhibit A, Section 2 C, Task #3. In addition, Exhibit A, Section 2, first paragraph states that DHS has

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48	Exhibit A, SOW, Task #3	6	determined by DHS in accordance with criteria specified in the waiver. Please clarify the respective roles of DHS and the contractor relating to provider selection.	final approval of all deliverables.
49	Exhibit A, SOW, Task #3	6	Deliverable "f" reads "Two or more pilot project sites selected according to the process and criteria developed by the contractor and approved by DHS with the capacity to serve 500 to 1000 participants statewide." Is it anticipated that the initial pilot project sites will serve 500 to 1000 participants? Must the initial pilot project providers be statewide and have the capacity to serve 500 to 1000 participants? Or, is it assumed that over time, the pilot design must have the capability to be expanded to other providers so that there are 500 to 1000 participants?	It is expected that the initial pilot sites chosen will have the existing capacity to serve the intended population of 500 to 1000 participants. There is no assumption of prospective growth to meet this population. Please refer to Task #3 Page 5 in Exhibit A, Scope of Work.
50	Exhibit A, SOW, Task #3	6	In the event that there will be no or limited interest in participation among providers, please clarify how DHS would approach that situation and what protections are afforded the contractor?	Please refer to Exhibit E, Sections 2 and 8.
51	Exhibit A, SOW, Task #6	10	Deliverable "g" reads, "care management and coordination services and consumer-driven care planning for ALWPP enrolled participants." Please provide more detail regarding what expectations are for this deliverable.	The expectation is for medical and social health care professionals, in conjunction with the consumer, to explain the choice of services and the providers of those services.
52	Exhibit A, SOW, Tasks # 6 & 7	10-11	(These tasks) describe the contractor's responsibility for monthly reports (including cost data) and a "data	The contractor is expected to coordinate and monitor all aspects of the implementation of the Assisted Living Waiver Pilot Project. The DHS will ensure the processing of claims and will generate provider payments as indicated.
				The expectation is that the contractor will be self-sufficient in the process of

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53	Exhibit A, SOW, Task #8	12	<p>management and retrieval plan." Does DHS expect the contractor to maintain an independent data collection and reporting system or that the contractor will have access to and utilize existing state data systems for purposes of generating the specified reports and analyses?</p> <p>(The) deliverables include a written report describing the cost effectiveness of each of the two models based on 12 months of implementation. The federal waiver requires documentation of cost effectiveness for 1915(b) waivers or cost neutrality for 1915 (C) waivers based on two or three years of implementation respectively. Please clarify or provide examples of how cost effectiveness would be evaluated, and how it would compare with the standards included in the federal waiver.</p>	<p>monthly cost reporting and analysis. To ensure the QA and QI programs, adequate data management and retrieval systems must be operative to generate the required data for analysis.</p> <p>The expectation of a 12-month evaluation tool is consistent with the need to report to the Legislature on the efficacy of the Assisted Living Waiver Pilot Project. Both delivery models will be included in the report that will reflect the cost neutrality of the beneficiaries in the Assisted Living Waiver Pilot Project settings.</p>
54	Exhibit B, Budget Detail and Payment Provisions	2	<p>Re: Delay in contract payment/Prompt Payment Clause. What would be the anticipated length of a delay in payment (weeks, month/s)? What is the Government Code on this (Prompt Payment Clause)?</p>	<p>The Government Code is cited in Exhibit B, Section 3. It is incumbent on the applicants to review this information.</p>
55	Exhibit G, Travel Reimbursement Information		<p>Could you clarify the Travel Reimbursement policies of the State of California shown in Exhibit G as they apply to this RFA? If the organization has its own established reimbursement rates for mileage, lodging, meals and the like, must it substitute the precise rules that are used by the State of California? Does DHS envisage that the project monitor will scrutinize travel receipts as described in the policy, or will the contractor according to their usual accountability procedures do that internally?</p>	<p>The Contractor must abide by the Travel Reimbursement Information set by the State and as stated in Exhibit G. The DHS contract manager will review every invoice submitted by the contractor during the period of the contract, including all travel expenses.</p>
56	Appendices 2 A and 2 B, Data Library		<p>Are a list of licensed RCFEs and a list of eligible low-income and public housing projects available in any of the on-line or library resources provided for bidders? If not, are such lists existing and can they be made available in the proposal stage or to the successful bidder?</p>	<p>These lists are not available through DHS. The Department of Social Services, Community Care Licensing program may maintain a list of RCFEs. Refer to Appendix 2B for a list of Internet sites that contain information on housing.</p>